IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 347 OF 2007

IN

APPEAL (L) NO. 43 OF 2007

IN

SUMMONS FOR JUDGMENT NO. 669 OF 2004

IN

SUMMARY SUIT NO. 2171 OF 2004

Emkay Exports & Ors. .. Appellants

V/s

Madhusudan Srikrishna .. Respondent

Mr.D.D. Madon, Senior Advocate with Mr.H.N. Thakore and Ms. Agnes Baradia i/b Thakore Jariwala & Associates for the Appellants.

Mr.N.D. Jaywant for the Respondent.

CORAM : R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATE : 26TH APRIL 2007

P.C. :

1. Heard.

2. The Appellant having deposited the decretal amount in terms of order dated 20th February 2007 and on perusal of the affidavit in support of the notice of

motion, the delay in filing the appeal is condoned and the notice of motion is made absolute in terms of prayer (a). The amount deposited shall be invested in a nationalised bank and shall be kept invested till the disposal of Appeal (L) No.43 of 2007 or any order to be passed in that behalf in the said appeal.

3. Notice of motion stands disposed of.

(R.M.S. KHANDEPARKAR, J.)

(D.G. KARNIK, J.)